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CITY SECRETARY  
Tarrant County, Texas  
CONTRACT NO.

Official Public Records

1/13/2010 2:45 PM

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**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

## AMENDMENT OF OIL AND GAS LEASE

STATE OF TEXAS

COUNTY OF TARRANT

WHEREAS, on the 30<sup>th</sup> day of July, 2009, CITY OF FORT WORTH, a home rule municipal corporation of the State of Texas, as Lessor (whether one or more), did execute and deliver unto XTO Energy Inc., as Lessee, an Oil and Gas Lease covering 23.702 acres of land, more or less, situated in the John F. Heath Survey, Abstract No. 641, Tarrant County, Texas, Memorandum of said Lease being recorded at Instrument Number D209214622, Official Public Records, Tarrant County, Texas, reference to which is hereby made for all purposes; and

WHEREAS, it is the desire of Lessor and said Lessees to amend the legal description of the Leased Premises;

NOW, THEREFORE, for good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, the undersigned Lessor does hereby agree and declare that said Oil and Gas Lease shall be, and the same is hereby reformed and amended by deleting the following legal description of the Leased Premises as described therein:

"Being 23.702 acres of land, more or less, and being a part of the John F. Heath Survey, Abstract No. 641, as conveyed by Special Warranty Deed dated May 29, 1997, from Cityview Partners, L.P., to the City of Fort Worth, Texas, as Tract No. 1 in Exhibit A as recorded in Volume 12782, Page 157, Deed Records, Tarrant County, Texas. "

And the Lessor and said Lessee desire to replace the above legal description of the Leased Premises with the following legal description:

"23.9887 acres of land, more or less, situated in the John F. Heath Survey, Abstract No. 641, Tarrant County, Texas, being further described as:

Being 23.702 acres of land, more or less, and being a part of the John F. Heath Survey, Abstract No. 641, as conveyed by Special Warranty Deed dated May 29, 1997, from Cityview Partners, L.P., to the City of Fort Worth, Texas, as Tract No. 1 in Exhibit A as recorded in Volume 12782, Page 157, Deed Records, Tarrant County, Texas AND .2867 acres of land, more or less, and part of the John F. Heath Survey, Abstract No. 641, as conveyed Warranty Deed dated March 9, 1988, from Cassco Land Co., Inc., as Grantor, to the City of Fort Worth, as Grantee, as recorded in Volume 9263, Page 253, of the Public Records of Tarrant County, Texas."

For the same consideration recited above, Lessor does hereby consent to, ratify, adopt, and confirm all of the terms and provisions of the Lease, as amended herein, and does hereby grant, lease, demise, and let to Lessee, its successors and assigns, the lands covered by the Lease, as amended, upon and subject to all of the terms and provisions set out in the Lease, as amended hereby. The undersigned hereby further declares that the Lease, as amended, in all its terms and provisions, is and remains a valid and subsisting Oil and Gas Lease, and declares that the Lease is binding upon the Lessor and Lessor's successors and assigns.

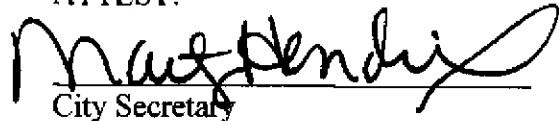
IN WITNESS WHEREOF, this instrument is executed and effective as of the date of the notarial acknowledgment of the Lessor's execution.

LESSOR:

CITY OF FORT WORTH

  
By: Assistant City Manager

ATTEST:

  
City Secretary

APPROVED AS TO FORM AND LEGALITY:

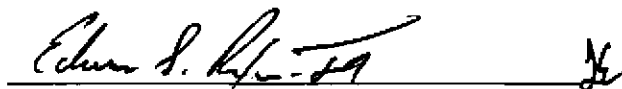
By:   
Assistant City Attorney

Date: 12/15/09



LESSEE:

XTO Energy Inc.

  
By: Edwin S. Ryan, Jr., Senior Vice President-  
Land Administration

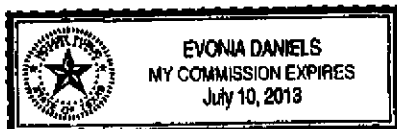
NO M&C REQUIRED

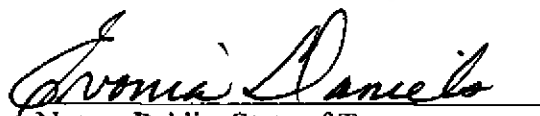
STATE OF TEXAS

COUNTY OF TARRANT

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Fernando Costa, known to me to be the person whose name is subscribed to the foregoing instrument and, that (s)he has executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 15th day of December, 2009.



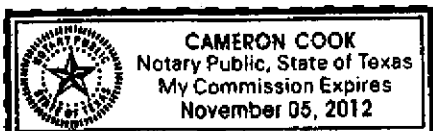
  
Notary Public, State of Texas  
My Commission Expires:  
Print Name of Notary Public Here:

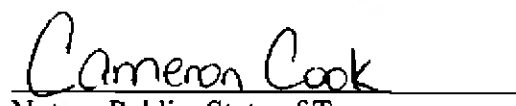
STATE OF TEXAS

COUNTY OF TARRANT

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Edwin S. Ryan, Jr., as Vice President-Land Administration for XTO Energy Inc., known to me to be the person whose name is subscribed to the foregoing instrument and, that (s)he has executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of December, 2009.



  
Notary Public, State of Texas  
My Commission Expires:  
Print Name of Notary Public Here: